

# EXHIBIT 22

**From:** [Roath, Patrick](#)  
**To:** [Neil R. Lieberman](#); [McCaughey, Daniel V.](#); [Adelsperger, Katherine](#)  
**Cc:** [Michael Shuster](#); [Vincent Levy](#); [Brian T. Goldman](#); [Patrick J. Woods](#)  
**Subject:** RE: LCM XXII LTD., et al. v. Serta Simmons Bedding, LLC, No. 21-cv-3987 (KPF) (SDNY) - Advent Production  
**Date:** Friday, January 13, 2023 5:21:14 PM

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Neil,

Our understanding was that the other parties producing in the litigation had used June 22, 2020 or thereabouts as a reasonable outside date, which made sense to us since that's the transaction closing date. Our impression from the early conversations with your team around scope was that we would be held to the same standard, unless there's some reason to depart.

Could you help us understand the relevance of materials created after that date? Can you identify any specific requests or categories of documents for which post-closing communications would be relevant or likely to lead to the discovery of admissible evidence?

Patrick

**Patrick T. Roath**  
**ROPES & GRAY LLP**

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pronouns: he/him/his

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**From:** Neil R. Lieberman <[nlieberman@hsgllp.com](mailto:nlieberman@hsgllp.com)>  
**Sent:** Wednesday, January 11, 2023 3:18 PM  
**To:** Roath, Patrick <[Patrick.Roath@ropesgray.com](mailto:Patrick.Roath@ropesgray.com)>; McCaughey, Daniel V. <[Daniel.McCaughey@ropesgray.com](mailto:Daniel.McCaughey@ropesgray.com)>; Adelsperger, Katherine <[katherine.adelsperger@ropesgray.com](mailto:katherine.adelsperger@ropesgray.com)>  
**Cc:** Michael Shuster <[mshuster@hsgllp.com](mailto:mshuster@hsgllp.com)>; Vincent Levy <[vlevy@hsgllp.com](mailto:vlevy@hsgllp.com)>; Brian T. Goldman <[bgoldman@hsgllp.com](mailto:bgoldman@hsgllp.com)>; Patrick J. Woods <[pwoods@hsgllp.com](mailto:pwoods@hsgllp.com)>  
**Subject:** FW: LCM XXII LTD., et al. v. Serta Simmons Bedding, LLC, No. 21-cv-3987 (KPF) (SDNY) - Advent Production

Patrick –

Based on our correspondence on September 23 and meet and confer on September 28, Advent agreed to produce documents through July 15, 2020 in certain instances and from July 16, 2020 to April 5, 2022 in others. On that basis, we continued to work with you in good faith on burden and review structuring issues, including you providing hit counts related to the searches. So, your email

below is incorrect that your review was consistent with the parameters agreed-upon with counsel to Plaintiffs. It is also not accurate with respect to what other parties, including other third parties, have produced.

Leading us on for over three months about your client's intentions, only to spring this on us at the 11<sup>th</sup> hour is not well-taken. LCM demands that you produce to the agreed-upon parameters by the end of this week.

Regards,

Neil

Neil R. Lieberman  
Holwell Shuster & Goldberg LLP  
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*Pronouns: he/him/his/himself*

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**From:** Roath, Patrick <[Patrick.Roath@ropesgray.com](mailto:Patrick.Roath@ropesgray.com)>

**Sent:** Wednesday, January 11, 2023 2:20 PM

**To:** Dougherty, Taylor <[Taylor.Dougherty@weil.com](mailto:Taylor.Dougherty@weil.com)>; Neil R. Lieberman <[nlieberman@hsgllp.com](mailto:nlieberman@hsgllp.com)>; Alison B. Miller <[amiller@hsgllp.com](mailto:amiller@hsgllp.com)>; Brian T. Goldman <[bgoldman@hsgllp.com](mailto:bgoldman@hsgllp.com)>; Michael Shuster <[mshuster@hsgllp.com](mailto:mshuster@hsgllp.com)>; Vincent Levy <[vlevy@hsgllp.com](mailto:vlevy@hsgllp.com)>; Patrick J. Woods <[pwoods@hsgllp.com](mailto:pwoods@hsgllp.com)>; Barrington, Luna <[Luna.Barrington@weil.com](mailto:Luna.Barrington@weil.com)>; Lender, David <[david.lender@weil.com](mailto:david.lender@weil.com)>; Gage, Richard <[Richard.Gage@weil.com](mailto:Richard.Gage@weil.com)>; Rausch, Joe <[Joseph.Rausch@weil.com](mailto:Joseph.Rausch@weil.com)>; Goodyear, Michael <[Michael.Goodyear@weil.com](mailto:Michael.Goodyear@weil.com)>; Reade, Nick <[Nick.Reade@weil.com](mailto:Nick.Reade@weil.com)>

**Cc:** McCaughey, Daniel V. <[Daniel.McCaughey@ropesgray.com](mailto:Daniel.McCaughey@ropesgray.com)>; Adelsperger, Katherine <[katherine.adelsperger@ropesgray.com](mailto:katherine.adelsperger@ropesgray.com)>

**Subject:** RE: LCM XXII LTD., et al. v. Serta Simmons Bedding, LLC, No. 21-cv-3987 (KPF) (SDNY) - Advent Production

Counsel,

We are producing documents in the above-captioned action on behalf of non-party Advent International ("Advent") bearing bates stamps ADVENT00005831 - ADVENT00021299. This

production is being made pursuant to the Stipulation and Order Regarding the Discovery of Electronically Stored Information (Dkt. 47) and the Protective Order (Dkt. 48).

With this production, in addition to Advent's 12/19/22 production (ADVENT00000001 - ADVENT00005830), we have substantially completed production of documents identified as responsive to the requests contained in the subpoena served on Advent in the above-captioned matter. Counsel to Advent completed a document review consistent with the parameters agreed-upon with counsel to the Plaintiffs, and produced documents consistent with the June 22, 2020 responsiveness cut-off employed by other defendants in the matter.

We will follow up shortly under separate cover with a link to download the production through our secure file sharing service, Kiteworks. The password to access the production is: **fl1vto6RWY\*v37\*!**

Best,  
Patrick

**Patrick T. Roath**  
**ROPES & GRAY LLP**

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pronouns: he/him/his

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**From:** Roath, Patrick

**Sent:** Monday, December 19, 2022 10:00 PM

**To:** 'Dougherty, Taylor' <[Taylor.Dougherty@weil.com](mailto:Taylor.Dougherty@weil.com)>; Neil R. Lieberman <[nlieberman@hsgllp.com](mailto:nlieberman@hsgllp.com)>; Alison B. Miller <[amiller@hsgllp.com](mailto:amiller@hsgllp.com)>; Brian T. Goldman <[bgoldman@hsgllp.com](mailto:bgoldman@hsgllp.com)>; Michael Shuster <[mshuster@hsgllp.com](mailto:mshuster@hsgllp.com)>; Vincent Levy <[vlevy@hsgllp.com](mailto:vlevy@hsgllp.com)>; Patrick J. Woods <[pwoods@hsgllp.com](mailto:pwoods@hsgllp.com)>; Barrington, Luna <[Luna.Barrington@weil.com](mailto:Luna.Barrington@weil.com)>; Lender, David <[david.lender@weil.com](mailto:david.lender@weil.com)>; Gage, Richard <[Richard.Gage@weil.com](mailto:Richard.Gage@weil.com)>; Rausch, Joe <[Joseph.Rausch@weil.com](mailto:Joseph.Rausch@weil.com)>; Goodyear, Michael <[Michael.Goodyear@weil.com](mailto:Michael.Goodyear@weil.com)>; Reade, Nick <[Nick.Reade@weil.com](mailto:Nick.Reade@weil.com)>

**Cc:** McCaughey, Daniel V. <[daniel.mccaughey@ropesgray.com](mailto:daniel.mccaughey@ropesgray.com)>; Adelsperger, Katherine <[katherine.adelsperger@ropesgray.com](mailto:katherine.adelsperger@ropesgray.com)>

**Subject:** LCM XXII LTD., et al. v. Serta Simmons Bedding, LLC, No. 21-cv-3987 (KPF) (SDNY) - Advent Production

All,

We are producing documents in the above-captioned action on behalf of non-party Advent International.

This production is being made pursuant to the Stipulation and Order Regarding the Discovery of Electronically Stored Information (Dkt. 47) and the Protective Order (Dkt. 48).

I will follow up momentarily under separate cover with a link to download the production through our secure file sharing service, Kiteworks. The password to access the production is:

[REDACTED]

Best,  
Patrick